THE OLD RELIABLE

THERE IS NO SUBSTITUTE

Will Not Be Carried Out.

The Major promptly reported the situa

tion to Lieut .- Col. Lester, now in command

of the regiment, the headquarters of which

negan attempt to carry out his threat the

National Guardsmen will undoubtedly adopt

heroic measures, as the regiment is on Juty

is in the Glens Falls Armory. Should Fin-

the streets of Mechanicville.

the armory of Company K.

Traction tracks until the strike is off.

A CAB DYNAMITED.

the Hudson Valley Railway Company's cars by the use of dynamite, which was placed on the track on Hamilton street and

the rear of the Clarendon Hotel property

DENOUNCES HALL CAINE'S PLAY

Indecent.

Special Cable Despatch to THE SUN

TRAIN ROBBERS CAPTURED.

Guarding the \$60,000.

Special Cable Despatch to THE SEN.

CAPE TOWN, Oct. 14 .- A daring attempt

o rob a mail train in Natal has been frus-

trated. When the train stopped at Pine-

town Bridge four white men entered the

mail van of a train from Pretoria which

They gagged the guard, but detectives

who were concealed in the van sprang

upon and overpowered them while they

were attempting to get the money. Three

of the robbers were captured, but the fourth

PREMIER BALFOUR STANDS FIRM.

Says Parliament Will Sit Until the Educa-

tion Bill Is Passed.

Special Cable Despatch to THE SCN

LONDON, Oct. 14.-Speaking at Mancheste

to-night Prime Minister Balfour declared

that the Government would adhere to its

Unless the bill was passed the present

French Parliament Meets.

Special Cable Despatch to THE SUN.

PARIS. Oct. 14. The budget presented

at the opening of Parliament to-day es-

timated the revenue for the year at 3.575 .-

saloon were shattered. No one

Papacy

Italy and the Vatican.

contained £12,000.

one managed to escape.

This is representative of the talk of the headed and the lawless element that is made so much trouble while the strike

s been in progress. It is felt here that if Mitchell and the her leaders influence the rejection of ese terms, many of the men will take the settling of the strike in their own hands by going back to work in droves.

A TRAP, SAYS A DISTRICT LEADER. SHENANDOAH, Pa., Oct. 14.- The leaders the United Mine Workers of Shenandoah re unanimously of the opinion that Mitchell not accept the terms of settlement abmitted by the operators to President Roosevelt. P. J. Sweeney, president of he Advisory Board and the most conpicuous man among the strike leaders, ul this to say about it:

The operators knew when they submitted hat proposition that Mitchell would never They are endeavoring to put im in the position of rejecting a proposal oking toward a settlement in the hope sympathy of the public will be ereby diverted from the strikers, but oir scheme will fail. Our cause is just ng in our favor will continue so. If Mitchell hould accept the proposition, which is wildly improbable, he would be overruled by the convention, which would have to

#### SUSPICION AT HAZLETON.

HAZLETON, Pa., Oct. 14.-Strikers hereabouts do not view with favor the proposition of the operators, and regard it with feelings akin to suspicion. They demand that a person favorable to labor interests be placed on the Board of Arbitration.

#### ANTHRACITE STILL DEAR. May Be for a Week After the Strike Ends

-1.200 Tons Here From England. There was no drop in the price of anthrate vesterday as a result of the expected and of the strike. During the last three weeks there has been no fixed price. From \$18 to \$25 a ton has been asked. Yesterday \$20 a ton was quoted by most of the lealers, and the coal dealers say the price may remain high for a week, even if the strike should end to-day.

These were the prices quoted yesterday for the small steam sizes

Buckwheat, No. 1, \$8 a ton; buckwheat No. 2, \$7; buckwheat No. 3, \$6; pea, \$10;

A dealer said yesterday that 50,000 tons f anthracite are stored at Raritan, N. J., for use in a sudden emergency, and that this coal will be released as soon as the

strike ends.

Part of the cargo of the Bristol line freighter Boston City, in yesterday from ol and Swansea, was 1,200 tons of Welsh anthracite

Meish anthracite.

J. Pierport Morgan was asked yesterday about despatches from London to the effect that the largest firm in the Liverpool coal trade had received a cable despatch from this city stating that no further offers could be made for English coal and that four steamships had been chartered to take coal to Boston from the Tyne. He an-

## That is a matter which rests entirely with the officers of the International Mer-cantile Marine Company." TOOK CRUSHED STONE FOR COAL.

Italians Put a Whole Carload in Their Cellars by Mistake. WATERLOO, N. Y., Oct. 14 .- Some Italians

living in this place started out night before ast to get fuel. They cleaned out a couple of fences and some wooden sidewalks, and then the whole crowd went to the New York Central tracks, where they had been old a carload of coal was standing. Several trips were made to the car, and

in the darkness the Italians thought they were getting a fine supply of coal for nothg Before morning the entire carload ad been transferred to the cellars of three

The next day the railroad men raised a ubbub and created no little talk by reporting that a carload of crushed stone was missing from the siding. Tracks showed where it had gone, and after getting the help of the police, they found the stone nicely housed in the cellars of the Italians. Even then the railroad people could not account for the affair, but the Italians finally confessed that they thought they were getting a fine quality of chestnut coal in-stead of crushed stone. No prosecutions will result as the Italians have carried back

#### BUYING COAL BY THE PAIL. Crowds at the Poor's Depots Were Larger Than Ever Yesterday.

The crowd at the depots where coal is being sold to the poor at 15 cents a pail were larger than ever yesterday morning. At Barker's yard in Water street 125 tons were sold by the pail before 10 o'clock in

the morning About 500 persons were in line at a yard in Delancey street when the doors were opened yesterday morning. At the other depots on the East and West sides similar throngs gathered. In one or two cases the coal gave out before all were served and several hundred had to go home with empty pails after waiting for more than

## Mills Close for Lack of Coal.

The J. B. King plaster mills at New Brighton. Staten Island, shut down at 2 o'clock yesterday afternoon on account of lack of coal. The company, which employs 500 men, has been using soft coal,

employs 500 men, has been using sort coal, but now cannot even get that.

A representative of the company said last evening that a loaded coal barge was on the way to the mills and that when it arrived the men would be put to work

## Carloads of Coal for Newark.

Twenty-four carloads of hard coal reached Newark early yesterday morning and were strongly guarded upon the Lehigh Valley siding in the southern part of the city until dealers were called. Nearly 300 wagons were gathered at the yard at 9 o'clock and the coal was dealt out in small ots, nobody getting a whole carload.

## SLAPPED COL. COLT'S FACE.

## Young Woman Knocks Him Down on the

Street in Charlotte, N. C. CHARLOTTE, N. C., Oct. 14 .- Col. R. O. Colf, said to be a descendant of the manufacturers of the Colt revolver, this afterboon took hold of the arm of Miss Grace Hobart Hanson, one of the members of he Paul Gilmore dramatic company, as she alked in front of the Central Hotel. He

The young woman, who had never seen colt before, turned on him, burst into tears and gave him a blow in the face that felled saloon Miss Hanson followed him r a few steps, then turned and went on the street, wiping her eyes. Ol. Colt has lived in Charlotte for sev-

eral years. He is a man of leisure and lives upon a monthly income from his estate. He was under the inice of liquor at the time he approached

## felled by a Truck Near His Home.

ahn Watson, 10 years old, of 217 Eas ty-eighth stort, was run over by a truck near his home yesterday afternoon. Both ims and both legs were fractured. He died in Flower Hospital last night. The truck driver, James Sherwood of 536 West Thirty-minth street, was locked up in the East Fifty-first street station.

## KNOX ON TRUST REGULATION.

THINKS CONGRESS CAN ACT UN-DER THE COMMON LAW.

Attorney-General Says That the People Who May Destroy Commerce in Restraint of Trade Between States May Surely Do the Same With Monopolles In States by Means of Which Trade Is Restrained-Cites What He Is Doing in Beef Trust, Northern Securities and Other Cases--He Speaks in Pittsburg.

PITTSBURG, Pa., Oct. 14.-The speech before the Chamber of Commerce made here to-night by Attorney-General P. C. Knox is said to be a carefully planned Administration move, and the President's way of notifying the people that he thinks there is warrant enough under the broad principles of common law for Congress to take action against the trusts.

It is said that President Roosevelt is lesirous that the speech should gain wide publicity. W. B. Keech, a director of the Pittsburg Chamber of Commerce, called Mr. Knox last week in Washington. Mr. Knex mentioned that he intended to deliver a speech on trusts before a Chicago club, and Mr. Keech telegraphed to Pittsburg asking that the president of the Chamber of Commerce send a telegraphic nvitation for Mr. Knox to come to Pittsburg to deliver his speech. The invitation was sent to Mr. Keech, who delivered it to

Mr. Knox the same day. A large audience greeted the Attorney-General and listened intently to his recital of what the Government has done regardng the Beef Trust, Northern Securities company and other alleged illegal compinations in restraint of trade. Mr. Knox

The people, by common consent, have de-nominated the great industrial and other corporations now controlling many branches of commercial business, trusts. The tech-nical accuracy of the term is unimportant, but indeed it is much more apt than might be supposed, when it is recalled that the essen-tial difference between the old industrial

but indeed it is much more apt than might be supposed, when it is recalled that the essential difference between the old industrial trusts and the great corporations owning and controlling subsidiary ones is that in respect to the former the shares of independent corporations agreeing to act in harmony were lodged with a trustee who received the separate earnings and distributed them among the holders of trust certificates, while as to the latter, a corporation is created to take over the title to the stock or properties of the constituent companies and issue its own shares as the evidence of interest in the combination. The corporation owner of corporations invokes specific legal authority from the Legislature of the State under which it is created.

These great combinations, now numbering thousands, are the instrumentalities of modern commercial activity. Their number and size alone appall no healthy American. We are accustomed to large things and to do them in a large way. We are accustomed to speak with a instifiable pride of our great institutions and what we have fairly accomplished through them. No right thinking man desires to impair the efficiency of the great corporations as instrumentalities of national commercial development. Because they are great and prosperous is no sufficient reason for their destruction. If that greatness and prosperity are not the result of the defiance of the natural rights or recorded will of the people, there is no just cause of complaint. The conspicuous noxious features of trusts existent and possible are these: Overcapitalization, lack of publicity of operation, discrimination in prices to destroy competition, insufficient personal responsibility of officers and directors for corporate management, tendency to monopoly and lack of appreciation in their management of their relations to the people, for whose benefit they are permitted to exist.

EVILS OF OVERCAPITALIZATION.

Overcapitalization is the given and the second and prosperitalization is the given and content and t

EVILS OF OVERCAPITALIZATION.

EVILS OF OVERCAPITALIZATION.

Overcapitalization is the chief of these and the source from which the minor ones flow. It is the imposition upon an undertaking of a liability without a corresponding asset to represent it. When a property worth a million dollars upon all the sober tests of value is capitalized at five millions and sold to the public, it is rational to assume that its purchasers will exert every effort to keep its earnings up to the basis of their capitalization. When the inevitable depression comes, wages must be reduced, prices enhanced, or dividends foregone. The overcapitalized securities enter into the general budget of the bountry, are bought and sold, rise and fall, and they fluctuate between wider ranges, and are more sensitive in proportion as they are further removed from intrinsic values, and, in short, are liable to be storm centres of financial disturbances of far-reaching consequence.

Corporations and joint stock or other associations, depending upon any statutory law for their existence or privileges, trading heyond their own States, should be required to do business in every State and locality upon precisely the same terms and conditions. Moreover, corporations upon which the people depend for the necessaries of life should be required to conduct their business so as regurlarly and reasonably to supply the public needs. They should be subject to visitorial supervision. Secrecy in the conduct and results of operation is unfair to the nonmanaging stockholders, and should, as well for reasons of State, be prohibited by law. If these serious evils were eradicated and a higher measure of administrative responsibility required in corporate off sex, a long step would be taken toward allaying the reasonable apprelension that the unchecked aggression of the trusts will result in practical monopoly of the important business of the country.

Less difficulty is encountered in describing the mischef of trusts than in suggesting

Less difficulty is encountered in describing the mischief of trusts than in suggesting a rational and practical remedy. The Con-stitution provides (Section 8, article III.) The Congress shall have power "to regulate ommerce with foreign nations and amount he several States and with the Indian triber

The augar trust test case.

Action was begun by the United States against what was known as the Sugar Trust. This was a corporation of the State of New Jersey which had acquired the stock of a number of sugar-refning corporations in another State by an exchange of its own shares for the shares of the vending stockholders of those companies. It was formed, as its charter stated, for the purpose of "buying, manufacturing, refning, and selling sugar in different parts of the country." The Supreme Court decided that as the monopoly was in the production or manufacture of sugar and its sale or distribution among the States and to foreign countries was but incidental thereto it was not within the prohibition of the law, saying that manufacturing, although it precedes commerce, is not a part of it, and that the act only applied to restraints of commerce.

In a subsequent case the Government destroyed a combination known as the Addyston Pipe Combination, but upon the ground that it was a conspiracy among independent producers of pipe to restrain its sale and distribution among the States. The combination in this case operated directly upon interstate commerce.

These cases seem to define the scope of the THE AUGAR TRUST TEST CASE.

bination in this case operated directly upon interstate commerce.

These cases seem to define the scope of the Anti-Trust law and show how little there is now left for the statute to operate upon. It is not enough, it seems, that a trust or corporation owning corporations exists, or that it is engaged in interstate or foreign commerce, for its mere engaging in commerce is not prohibited, or that it monopolizes production throughout the country, or that it formed to restrain or monopolize business within a State or destroys competition in buying or selling within a State, or that by any of these things it indirectly affects interstate commerce with a practical restraint or monopoly, to bring the corporation or its particular transaction within the emphatic clauses or under the drastic penalties of the Anti-Trust law. What seems to be necessary is to establish by legal proof in court a combination for the direct monopolizing or restraining of what is strictly interstate commerce, and to prove this against combinations whose affairs are conducted upon the best legal advice as to what is and what is not opposite to the law, by methods

lish by legal proof in court a combination for the direct monopolizing or restraining of what is strictly interestate commerce, and to prove this against combinations whose affairs are conducted upon the best legal advice as to what is and what is not obnoxious to the law, by methods secret or ingeniously contrived to avoid the letter of the law.

If it be true that a State can authorize or permit a monopoly of production within its borders because it has the power over production as such, although it indirectly affects interstate commerce, may not the United States regulate interstate commerce over which it has exclusive control, even though it indirectly affects they are though it indirectly affects by the state of the same power dony utterly destroy a combination and forfeit its power to regulate interstate commerce may utterly destroy a combination and forfeit its property in interstate transit, as the Sherman act provides, because it restrains such commerce, it seems reasonable to say that it can in the exercise of the same power deny to a combination whose life it cannot reach the privilege of engaging in interestate commerce of congress over monopolies, the American people find themselves hopelessly impotent, facing a situation fraught with the most alarming possibilities, with which neither the Federal nor State governments can deal. While States may regulate the production and sale of articles within their own borders, at these borders their authority ceases.

as Jefferson said, with full legislative and executive power, and exclusive regulation of interstate commerce is one of these purposes, as the Supreme Court has decided, it would seem monstrous to urge that Congress and the Executive under its authority are power-less and must sit idly by and see the channels of interstate commerce made use of to the injury of the people by monopolistic combinations. The Supreme Court has characterized the power of Congress to regulate interstate commerce, like the related and sometimes auxiliary power to tax, in terms broad and absolute; it has defined this commerce in language which is inclusive of all phases of interstate intercourse, exchange and trade, it has merely said that production under an initial phase of modern consolidations which primarily, at least, regards production alone, is not such commerce. I do not think it can be said that the Court has gone beyond this point.

THE POWER OF CONGRESS.

gone beyond this point.

THE FOWER OF CONGRESS.

Conceding that the present law is not effective throughout the situation we come to the final alternative: May not Congress, under the existing Constitutional grants, amend and extend the law and thus remedy its detects and so effectively regulate national and foreign commerce as to prevent the stifling of competition, the regulating of output and price and the restraining of national and international trade? If the answer to this question should be in the affirmative a second question follows: How might Congress so amend the present law?

I do not scruple to say that in my judgment the more a thoughtful mind reflects on the first question the more unhesitatingly will an affirmative answer be returned.

That regulation by Congress in this way would indirectly or remotely affect production would be no bar. Congress prevents the importation or transportation of articles deemed in urious to the general welfare. Thus the laws subject the movement of explosives to safeguards and burdens, absolutely exclude impure literature and diseased cattle, convicts and contract labor, and scrutinize and prevent or check many foreign and interstate movements throughout the entire field of international and national intercourse in the interest of all the people, on grounds of commercial, hygienic or ethical policy. Who shall set limits now, in advance of a carefully framed and judicially tested law, to the competence of Congress to regulate commerce in the way suggested in the exercise of the legislative wisdom and in the wise discretion confided to it? Who shall say that the power of Congress does not extend so far? I think it does. I am quite sure no one can say that it does not.

And now a word as to what has been undertaken and accomplished under many and peculiar embarrassments in the way of executing existing laws.

RATE DISCRIMINATION CASE.

RATE DISCRIMINATION CASE.

In the early part of this year it came to the knowledge of the President that great railway systems in the middle West, upon which every section of the country is dependent for the movement of breadstuffs, had entered into unlawful agreements to transport the shipments of a few favored grain buyers at rates much below the tariff charges imposed upon small dealers and the general public. This injustice prevailed to such an extent and for so long a time that most of the smaller shippers had been driven from the field, and the business formerly enjoyed by them absorbed by a limited number of persons, who received secret and preferential rates. In a word, there was practically only one buyer on each railway system, and the illegal advantages he secured from the carrier gave him a monopoly of the grain trade on the line with which his secret compact was made. It was an odious condition.

Nor does this describe the full measure of wrongdoing. It reached the centres of trade and affected related industries with more or less disaster. In Kansas City, for example, it was asserted that local dealers had been excluded from participation in the grain trade; that their elevators for the storage and transshipment of grain, built at great expense for the demands of an important market, had been deprived of business, and that large numbers of laborers had lost employment and remained in idleness, solely because of the diversion of business, and transportation of grain.

Acting upon this information, which discord defivite and provable facts, bills for RATE DISCRIMINATION CASE.

channels as the result of this for bidden monopoly in the purchase and transportation of grain.

Acting upon this information, which disclosed definite and provable facts, bills for injunctions were immediately filed against the principal railroads implicated, to restrain them from giving preference to any shipper in the rates or facilities of transportation. In March last there were instituted by the Government, in the United States Circuit Court at Chicago, six suits in equity against offending railroad companies, and, simultaneously, eight additional suits were begun against other railroads at Kansas City. In each instance temporary injunctions were granted, which are still in force, restraining the defendant railroads from paying any rebates or granting any preferences whatever to any shipper, so that all persons should stand on an even tooting in respect of transportation over the enjoined roads.

It is believed, that, with few exceptions, since the issuing of these injunctions, the open tartifs have been applied and uniform rates charged to large and small shippers alike. The small grain buyers in the West have resumed operations, the elevators that were closed are doing a profitable business and the workmen are again employed.

Another direction in which kindred effort

were closed are doing a profitable business and the workmen are again employed. Another direction in which kindred effort has been made to enforce the law and prevent the abuse of monopoly deserves a word of has been made to emister the as a min revent the abuse of monopoly deserves a word of comment. The cotton interests of the South, growers, buyers, and shippers, complained of the hardships and injury suffered by them from the methods of the railroads in that section in handling and transporting the cotton output. There was a pooling arrangement between the railroads in respect of this traffic, in distinct violation of the Federal statute. As the result of information, a number of indictments were obtained against the offending roads and their principal traffic officers. Since that time, the roads accord to shippers the right to route their traffic, and avow their purpose strictly to observe the law.

THE BEEF TRUST The remarkable advance in the price of meats, coupled with the disclosures elicited by the commission respecting secret rebates enjoyed by the great packing houses, and other information obtained by the Department of Justice, induced it to direct an investigation into the methods of the so-called "Beef Trust," as a result of which bills were filed under the Sherman Anti-trust law and injunctions issued restraining each of the six defendant concerns from combining, or agreeng upon the prices at which they would sell their products in States other than those where it is prepared for market, and likewise restraining them from combining and agreeing upon cartage charges for delivering their shipments of destination. Under the rules of the Federal courts, after the writs of injunction shipments of destination. Under the rules of the Federal courts, after the writs of injunction were issued, the defendants had until midsum-mer to answer or demur to the Government's bill of complaint. They chose to demur to the bill, which raises the question whether on the facts stated, and under the Constitu-tion and existing laws, they are amenable to the control of the Federal Government.

NORTHERN SECURITIES MERGER The Northern Pacific and Great Northern railroads, having their Eastern termin at the head of Lake Superior, and extending westwardly via Minneapolis and St. Paul to the Pacitic Ocean, occasionally intersecting and again separating, and generally no farther distant from each other than 100 miles, and being in 100 practically the only competitors in the transportation of traffic to and from most of the States traversed by them, combined together and purchased the capital stock of the Chicago, Burlington and Quincy Railroad system. Thus those two transcontinental lines became the joint owners of another great system which was gradually pushing its rails northwesterly into the territory occupied by the purchasers, and westwardly to the Pacific Ocean.

pied by the purchasers, and weatwards to the Pacific Ocean.

To effect this purchase, the Northern Pa-cific and Great Northern companies issued joint bonds for \$20,000,000. Shortly after the purchase of the Burlington road the prin-cipal owners of the Northern Pacific and Great Northern roads caused to be organized, under the laws of New Jersey, the Northern Sacurities Company, with a nominal capital That company was organized to become the owner of the capital stock of the North-ern Pacific and Great Northern railroad comern Pacine and Great Sorthern Fairboat Com-panies, and this was accomplished by an ex-change of the stock of the New Jersey corpora-tion for the stock of the two railroad compan-ies at such price that, if the Securities Company got all of the stock of both roads, its entire \$400,000,000 of capital would be absorbed in

the exchange.

At the time of the purchase of the Burlington road the capital sock of the three railroad systems was about \$390,000,000. That was the capital upon which the combined traffic carried by those roads might, after paying expenses of operation, reasonably be expected to provide dividends. By the bond issue to secure the Burlington and the inflation of the "Securities" capital, that same traffic is now expected to provide dividends upon more than two hundred millions of stock in addition to the original \$300,000,000.

When the Department came into possession of these facts a suit in equity was at once beguin to restrain the operation of the proposed meger and to restore the independence of these transcontinental railroads as competing lines, which suit is now pending.

Here, then, are four phases of the attack on combinations in restraint of trade and commerce—the railroad injunction suits, the cotton pool cases, the "Beef Trust" cases, and the Northern Securities case. The first relates to the monopoly produced by secret and preferential rates for railroad traffic pooling; the third to a combination of independent corporations to fix and maintain extortionate prices for meats, and the fourth to a corporation of parallel and competing lines of railroad and eliminate competition in their rates of transportation. The Department of Justice, being of opinion that they are each in violation of that law, founded it to be its manifest duty to so advise the President, with the result which is known to all.

Primarily it is for the Congress to decide he exchange.
At the time of the purchase of the Burling-

500,000 francs and the expenditures 3,575, 000,000 francs. It restores digestion - Jayne's Tonic Vermifuge. - Adv.

were sectarian calumnies.

continue for another generation.

## CAPT. SHORT RAIDS POOLROOM

DON SAID TO BE PROPRIETOR. Was Just Across the Street From the

SON OF EX-POLICE CAPT. REAR-

Bedford Avenue Station, Brooklyn -Proprietor of Saloon on the First Floor Had Been Warned to Quit. Police Captain Short of the Bedford avenue station, Williamsburg, yesterday

afternoon raided a poolroom conducted by George A. Reardon, a son of former Police Captain John Reardon, directly opposite the police station at North First street and Bedford avenue, and arrested forty-three men, including the proprietor. Reardon has a saloon on the ground floor at 265 Bedford avenue and the poolroom was on the third floor. Three weeks ago Capt. Short, from the windows of his room in the station house, saw men going to the poolroom, and he warned Reardon that unless he discontinued the business he would get into trouble. Reardon closed the doors leading to the poolroom from that building, but opened an entrance through the private house of his brother, Mark Reardon, at 267 Bedford avenue. A door from this dwelling was cut through the wall on the third floor to the poolroom and business went on as before. Capt. Short went to the Lee avenue

whether it has the power, and whether and to what extent it will execute it—what character of restraints, whether all or those only which are unreasonable and inturious shall fall under the ban, whether legislation in the first instance should extend to all commerce or only to commerce in articles of vital importance to the people. The time never was when the English-speaking people per mitted the articles necessary for their existence to be monopolized or controlled, and all devices to that end found condemnation in the body of their laws. The great English Judges pronounced that such manifestations of human avaries required no statute to declare their unlawfulness, that they were crimes against common law—that is, against common right. police court yesterday afternoon and got from Magistrate Higginbotham a search warrant against "John Doe." Armed with the warrant he returned to the police station and awaited developments. When he saw thirty-nine men enter 267 he decided to make a raid. He summoned the cided to make a raid. He summoned the reserves and with Detectives Collins and Tracy surrounded the saloon and the house of Mark Reardon. Then Capt. Short with his detectives broke down the basement door of the private house and made a rush up the stairs. He smashed the door in the wall on the third floor and before the men in the poolroom knew what had happened the captain was among them and warned every one not to attempt to escape. Capt. Short called for more policemen common right.

A law regulating interstate commerce for its protection against restraint, so broad as to cover all persons whose business is conducted under agreements which are in any way or to any extent in restraint of trade, might exclude thousands of small concerns conducting industries in one State from marketing their products in others; but a law which only covers contracts and combinations in restraint of trade, as defined by the common law, would exclude all hurtful combinations and conspiracies Congress can, if it sees fit, adopt the scheme of that law in the enforcement of such law each case as it erose would be considered upon its own facts, and the rule of guidance would Capt. Short called for more policemen and when they came he counted the pris oners and found he had forty-three, in case as it crose would be considered upon its own facts, and the rule of guidance would be as laid down by the Supreme Court of the United States; that is, "public welfare is first considered, and if it be not involved and the restraint upon one party is not greater than protection to the other party requires, the contract may be sustained. The question is whether, under the particular circumstances of the case and the nature of the particular contract involved in it, the contract is or is not reasonable."

The appendix of presentableness is thus cluding George A. Reardon, the proprietor All were marched to the station house

All were marched to the station house.

A peculiar incident is that Sergt. Daniel Reardon, a brother of the former police captain and uncle of George A. Reardon, the poolroom keeper, had the desk in the station house and took the pedigrees, of all the prisoners, including his nephow. The latter, Chris J. Dalton, Daniel Meyer and J. J. Merkle were held on the charge of conducting a poolroom and the others were held as disorderly persons. The latter were released on bail, but the other four were locked up. four were locked up.

Half an hour after the raid former Captain

violability of contracts with proper judicial safeguards against upconscionable arrangements rightly void as contrary to public policy. Proper free play of forces might be maintained, by importing into the situation the idea of "reasonableness" and judicial determination thereof, for the due control of unnecessarily destructive competition, and, for preventing the opposite danger, by devising a system of regulation which would strike the evils of combination at the heart and aid in the great object of restraining hurtful restraints and monopolies, especially Reardon appeared at the station house and offered bail for his son. He was told he would have to see a Police Magistrate. About two weeks ago George Reardon, after closing his saloon one night, went to Capt. Short and ordered him to close up certain saloons which were open after hours. Capt Short did so. Former Captain Reardon was dismissed in July last. hurtful restraints and monopolies, especially as to the prime necessities of life.

#### KAFFIRS NOW MAKING TROUBLE. TO DRIVE SOLDIERS OUT. Band of Natives Raiding Farms and Fight-Village President Gives Orders, but They

ing With the Police. Special Cable Desputch to THE SUN GLENS FALLS, N. Y., Oct. 14. - Village CAPE TOWN, Oct. 14.—The troubles in President Finnegan of Mechanicville to-South Africa arising from the industrial day notified Major Andrews of the Third depression and political unrest have now Battalion, Second Regiment, on strike duty been added to by the emergence of the in that place and vicinity, that he (Finnenative question in a vexatious form. A gan) had sworn in a large number of depu-Kaffir named Bokborst has gathered a ties and that he had ordered them to arrest number of natives in the northwest colony and lock up every soldier found patrolling and has looted the stocks of farmers and

ommitted other outrages. After the recent capture of 300 sheep by he band a small party of police followed the trail of the marauders, but abandoned the pursuit when they found the position of the Kaffirs too difficult to attack. After ward armed natives called on the police to surrender and fired on them, but the

Gov. Odell issued orders this afternoon. K of Glens Falls, I of White Hall and L of Saratoga and the transfer of Companies A and D of the first battalion to the camp of the second battalion. Comliquor traffic. On Saturday night the police raided the drinking dens in the Kaffir location and this caused a riot. One Kaffir pany M of Hoosick Falls will have quarters was arrested and a large number of drunken General Manager Jossiyn said to-day that the Hudson Valley Railway Company will not attempt to run cars on the United natives immediately attacked the police and fired revolvers at them, after which they escaped. A strong armed guard subsequently raided the location and destroyed a thousand gallons of Kaffir beer SARATOGA, Oct. 14. An attempt was made here this evening to destroy one of and a quantity of whiskey

### SERVIAN CABINET RESIGNS? Crisis Said to Be Due to Czar's Refusal to

The car was badly damaged, the track was ripped up and the windows of a nearby Receive Visit From King and Queen. Special Cable Despatch to THE SUN. VIENNA, Oct. 14 .- A despatch from Bel grade says it is officially announced that he Servian Cabinet has resigned.

The Politische Correspondenz says that

the crisis was brought about by the re-Organ of the Vatican Says His Work Is newed postponement of the visit of King Alexander and Queen Draga to the Czar. Formal assurance was given to the King ROME, Oct. 14.- The Osservatore Romano and Queen last year that the Czar would he organ of the Vatican, strongly attacks receive them, but since then they have been Hall Caine's play, "The Eternal City," unable to obtain a definite date for the which was recently produced in London visit They had, however, completed their It calls the work a mere tissue of improbpreparations to start for Livadia, where abilities and indecencies, and says that he Czar is at present staying, when a cold, Mr. Caine's insults cannot reach the formal message was received asking them to indefinitely postpone their visit. The Yet honest people in all parts of the reason for the message is understood to world will strongly protest against a writer be the Czarina's refusal to meet Queen who offends against international courtesy morality and common sense and against GERMANS WATCH VENEZUELA.

#### Three Warships Now Ready to Guard German Interests There. Detectives Were Concealed in the Car Special Cable Despatch to THE SUN.

KIEL, Oct. 14 .- The German squadron consisting of the cruisers Gazelle, Panther and Vineta, which has been watching affairs in Hayti, has been ordered to concentrate its attention on Venezuela. This is probably because of the recent murder near Caracas of Adam Russell, a German ubject who was the manager of the Vene ruelan Plantation Company. Capt. Scheder s in command of the squadron

#### RETREAT FROM CARACAS. "astro's Rule in Venezuela Belleved to Be Near an End.

WASHINGTON, Oct. 14 .- President Castro of Venezuela and the Government which he is struggling to maintain are apparently in danger of an overthrow. News came to the State Department this morning from Herbert W. Bowen, the United States Minister at Caracas, which indicates clearly such progress that Castro fears the capital will be captured.

To minimize the effect of such a blow Education bill, and that Parliament would sit until the measure was passed. He

he has removed the executive offices to Guaicaipuro, a town about twenty miles from Caracas. In other words, he has virtually fled to avoid being taken by the added that the criticisms that the bill aimed at clerical control of the national schools Bowen's despatch was written yester. chaotic conditions of education would

day. When it was sent he had received news that Castro's main force and the main force of the revolutionists had come into ouch near Victoria and that a big battle

was expected.

Mr. Bowen's despatch follows:

"The Minister for Foreign Affairs informs me that the executive branch of the Government has been transferred from here to Guaicaipuro, about twenty miles from Caracas. The main armies have met near Victoria this morning and an important experience. an important engagement seems to imminent."

AS evidence of our determination to fulfill our promise to make this more than ever the foremost retail trading center of the general public, we take pleasure in announcing that the

# New Art Piano Store

(On the fifth floor) will open for business this morning. This is, without question, the most beautiful Piano Store in the world. The appointments of this new Temple of Music are magnificent; the facilities unsurpassed.

The range of instruments is a masterful one, some of the leading manufacturers of the United States being represented in a degree eminently satisfactory.

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# Boys' Clothing.

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Selected with unusual care, with special reference to fitness of fabric and to requirements of each special style. Designed, cut, trimmed and made absolutely correct in every detail, the products of the efforts of our experts, who make Boys' Needs their sole study, producing garments impossible under other conditions.

## 60-62 West 23d Street.

## DOGE'S PALACE NOW IN DANGER

ANOTHER FAMOUS VENICE STRUC-TURE MAY FALL.

Eastern Part Closed to the Public and Books of the Great Library Are Being Removed-Walls Facing the Grand Canal Need Immediate Strengthening Special Cable Despaich to THE SUN.

VENICE, Oct. 14.-The eastern portion of the Doge's Palace and part of the galleries facing the Grand Canal, where the books of the great library are stored, were closed to the public yesterday on the ground that repairs are urgently required. It is believed that the walls facing the prison have been found to be unsafe and that immediate strengthening is necessary. When the books were being removed

t was found that the walls actually swayed. A gang of men were sent to shore them up and to brick up a number of windows which were eagging. Government officials who examined the

place five years ago recommended the immediate removal of the library from the Doge's Palace. It was announced that the recommendation had been complied with, but it has now been found that the books and papers were not removed.

The Campanile, the historic bellt ower of St. Mark's Square, Venice, fell on July 14 last, and since then there has been fear for the safety of the many noted buildings in the city. One architect declared that the whole city was sinking. Precautions have been ordered taken in number of instances where buildings are in a serious condition.

SAILORS MUTINY IN A GALE. Refuse to Man the Pumps, but the Ship Reaches San Juan Safely. Special Cable Despatch to THE SUN.

SAN JUAN, P. R., Oct 14 .- The barkentine Nineveh, Capt. Gilbert, has arrived here with all her rigging in bad shape. She sailed from New York on Sept. 18, and on the 21st ran into a hurricane which lasted for nine hours and was followed by a heavy sea. The vessel began to leak and the captain ordered the pumps manned. The men refused to obey this order and said they wanted to return to

Capt. Gilbert replied that the ship would sink or go to Porto Rico. The barkentine. which belongs to the Benner Line, arrived here after being twenty-four days out Upon her arrival two of the sailors attacked Capt. Gilbert, who drew his revolver. The men jumped overboard, but were rescued. They will return to New York on the steam ship Coamo, of the New York & Porto Rico Steamship Company

CONCESSIONS FROM CHINA. French and English Get Rights in Coal Oll and Iron Fields.

Special Cable Despatch to THE SUN. PERIN, Oct. 14.—The French and English have obtained equal concessions in the petroleum, coal and iron fields of the Province of Szechuen. These, together with mining rights given to the French in several prefectures in the Province of Yunnan and he extensive concessions granted to the Germans in the Province of Shantung. are closely connected with the settlement of the questions arising from the Boxer revolt. These concessions have been made notwithstanding the desire of the throne that the development of China should be carried on by the Chinese. M. Paul Lessar, the Russian Minister

o China, is seriously ill of peritonitis. The foreign Ministers seem to fear that Kuei Chup, who was recently dismissed as Vicerov of Szechuen, will be appointed as the permanent successor of Chang Chih Tung at Wusung, the latter having been named temporarily to succeed the late Liu Kun Yi at Nankin. Kuil Chun is an uncle of Yung Lu, the Grand Secretary and the highest official in the Empire. The visionary plans of Chang Po Hal. president of the Board of Education, for

an imperial university, which were approved by the throne last spring have failed and he has been compelled, owing to the severest kind of criticism, to return to the premises formerly used by Dr. Martin. An examination of 500 applicants for admission was held there to-day

## The Reichstag Meets

Special Cable Despatch to THE SUN.
BERLIN, Oct. 14. - The Reichstag reassembled to-day for the autumn session. The entire sitting was occupied with routine matters. It is not expected that the new tariff bill will be taken up before Friday. Justice Jenks Home Again.

Justice Almet F. Jenks of Brooklyn returned by the steamship Grosser Kurfuerst,

